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8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 RAYVEN LAFUA,

11 Plaintiff,

12 vs.

13 LAS VEGAS METROPOLITAN POLICE  
DEPARTMENT, a law enforcement agency  
of the State of Nevada; SERGEANT  
14 KASHIF SUMMERS, in his individual and  
official capacity; CAPTAIN KRISTINE  
15 BUIST, in her individual and official  
capacity, DOE DEFENDANTS 1 through 10;  
16 and ROE DEFENDANTS 1 through 10,  
inclusive,

17 Defendants.  
18

Case Number:  
2:22-CV-02133-GMN-BNW

19 **STIPULATION AND ORDER FOR EXTENSION OF DISCOVERY DEADLINES**  
20 **(FIRST REQUEST)**

21 Pursuant to Federal Rule of Civil Procedure 6(b)(1) and LR 6-1 and LR 26-4,  
22 Plaintiffs, by and through their counsel of record, Jennifer Arledge of Sgro & Roger  
23 Attorneys at Law, and Defendants, by and through their counsel of record, Nick D. Crosby  
24 of Marquis Aurbach Chtd., hereby stipulate and request that this Court extend discovery  
25 deadlines in the above-captioned matter ninety (90) days, up to and including October 16,  
26 2023. In support of this stipulation and request, the parties state as follows:

27 **I. PROCEDURAL HISTORY**

28 1. On December 12, 2022, the Plaintiff filed his Complaint. ECF No. 1.

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1           2. On January 19, 2023, the LVMPD Defendants filed their Motion for Partial  
2 Dismissal of Plaintiff's Complaint. ECF No. 7.

3           3. On January 19, 2023, the LVMPD Defendants filed their Answer to Plaintiff's  
4 Complaint. ECF No. 9.

5           4. On March 3, 2023, this Court entered the Discovery Plan and Scheduling Order.  
6 ECF No. 15.

7           5. On May 30, 2023, this Court entered its Order Granting LVMPD Defendants'  
8 Motion for Partial Dismissal. ECF No. 17.

9           6. On June 16, 2023, Plaintiff filed his First Amended Complaint. ECF No. 18.

10 **II. DISCOVERY COMPLETED TO DATE**

11           1. The parties participated in the FRCP 26(f) conference on February 17, 2023.

12           2. On March 2, 2023, Plaintiff served his Initial Disclosures of Witnesses and  
13 Documents pursuant to FRCP 26.

14           3. On March 3, 2023, LVMPD Defendants served their Initial Disclosures of  
15 Witnesses and Documents pursuant to FRCP 26.

16           4. On March 3, 2023, this Court entered the Discovery Plan and Scheduling Order.  
17 ECF No. 15.

18           5. On March 9, 2023, the LVMPD Defendants served written discovery on Plaintiff.

19           6. On March 15, 2023, Plaintiff served written discovery on LVMPD Defendants.

20           7. On April 24, 2023, Plaintiff responded to LVMPD Defendants' discovery  
21 requests.

22           8. On May 1, 2023, LVMPD Defendants responded to Plaintiff's discovery requests.

23 **III. WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED**

24           The parties require more time in this case to schedule and take the depositions of  
25 pertinent witnesses.

26           The parties attempted to complete the depositions prior to the current discovery cut-  
27 off. To date, counsel for both sides has been diligent in responding to discovery requests and  
28 producing necessary documents to expedite the resolution of this matter and reduce the costs

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and burdens on both sides. However, attorney and witness scheduling conflicts have delayed the noticing of the relevant depositions, thus necessitating an extension of discovery deadlines. LVMPD Defendants are still attempting to find acceptable times to schedule the depositions of relevant officer witnesses. Additionally, Plaintiff has indicated his intent to take a Rule 30(b)(6) deposition, but has not yet propounded a list of topics.

#### IV. REMAINING DISCOVERY

1. The Plaintiff intends to take the depositions of:

- a. Defendant LVMPD's 30(b)(6) witness;
- b. Sgt. Kashif Summers
- c. Capt. Kristine Buist
- d. Ofc. Matthew Pacheco
- e. Det. Jason Jennings
- f. Ofc. Elmer M. Martinez Garcia

2. The LVMPD Defendants intend to take the depositions of:

- a. Plaintiff Rayven Lafua
- b. Dan Coyne

#### V. EXTENSION OR MODIFICATION OF THE DISCOVERY PLAN AND SCHEDULING ORDER

LR 26-4 governs modifications of extensions of the Discovery Plan and Scheduling Order. Any stipulation or motion must be made no later than twenty-one (21) days before the expiration of the subject deadlines, and comply fully with LR 26-4. The parties acknowledge that they are submitting this request less than twenty-one (21) days before the discovery cut-off date. The parties are actively attempting to schedule depositions and complete the remaining discovery, but just recently realized that completion within the allotted time would be impractical due to limited availability of counsel and witnesses.

Good faith exists for this delay because discovery is necessary for the parties to properly prepare for dispositive motions and trial. Therefore, the parties respectfully request

that the modification of the scheduling order be granted. The following is a list of the current discovery deadlines and the parties' proposed extended deadlines.

Discovery Cut-Off Date	July 18, 2023
Amending the Pleadings and Adding Parties	Completed April 19, 2023
<u>Fed. R. Civ. P. 26(a)(2) Disclosures (Experts)</u>	
(a) Disclosure of experts and their reports	Completed May 19, 2023
(b) Disclosure of rebuttal experts and their reports	Completed June 16, 2023
Dispositive Motions	August 17, 2023
Pre-Trial Order	September 15, 2023

The requested 90-day extensions would extend the deadline dates as follows:

<b>Discovery Cut-Off Date</b>	<b>October 16, 2023</b>
Amending the Pleadings and Adding Parties	Completed April 19, 2023
<u>Fed. R. Civ. P. 26(a)(2) Disclosures (Experts)</u>	
(a) Disclosure of experts and their reports	Completed May 19, 2023
(b) Disclosure of rebuttal experts and their reports	Completed June 16, 2023
<b>Dispositive Motions</b>	<b>November 15, 2023</b>
<b>Pre-Trial Order</b>	<b>December 14, 2023</b>

This request for an extension of time is not sought for any improper purpose or for purposes of delay. The parties are in continuous communication with one another and are actively attempting to coordinate schedules to complete discovery. Therefore, the parties respectfully submit that the reasons set forth above constitute compelling reasons for the discovery extension.

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1 WHEREFORE, in an effort to ensure an effective discovery period and to reduce the  
2 burden to both parties, their staff, and clients, the parties file this stipulation requesting a 90-  
3 day extension for each discovery deadline as set forth above. The parties respectfully request  
4 that this Court extend the discovery dates as outlined in accordance with the table above.

5 IT IS SO STIPULATED this 27<sup>th</sup> day of June, 2023.

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7  
8 **MARQUIS AURBACH**

**SGRO & ROGER**

9 By: /s/ Nick D. Crosby

By: /s/ Jennifer Arledge

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*Attorneys for Plaintiff Rayen Lafua*

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14  
15 **ORDER**

16 **IT IS SO ORDERED**

17 **DATED:** 11:40 am, June 28, 2023

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20 **BRENDA WEKSLER**  
21 **UNITED STATES MAGISTRATE JUDGE**  
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